

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

**TRUSTEES OF THE UNITED STATES
ASSOCIATION NATIONAL PENSION
FUND, *et al.*,**

Plaintiffs,

v.

OMEGA PLUMBING LLC,

Defendant.

Civil Action No. 1:21-cv-1337

ORDER

On August 10, 2022, United States Magistrate Judge Ivan D. Davis entered the Report and Recommendation (the “Report”) in this case, recommending that default judgment be entered in favor of Plaintiffs Trustees of the United Association National Pension Fund (“NPF”) and the Trustees of the International Training Fund (“ITF”) (collectively, “Plaintiffs”) and against Defendant Omega Plumbing LLC on Count I of the Complaint.

Upon consideration of the record and Judge Davis' Report, to which no objections have been filed, and having found no clear error,¹

The Court **ADOPTS**, as its own, the findings of fact and recommendations of the United States Magistrate Judge, as set forth in the Report (Dkt. 15).

Accordingly,

¹ See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (in the absence of any objections to a magistrate’s report, the court “need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”).

It is hereby **ORDERED** that plaintiffs' motion for default judgment (Dkt. 11) is **GRANTED**.

It is further **ORDERED** that **DEFAULT JUDGMENT** be entered in favor of Plaintiffs and against Defendant on Count I of the Complaint.


It is further **ORDERED** that default judgment is entered against Defendant and in favor of Plaintiffs in an amount of \$12,003.85, which consists of (i) \$7,204.38 in contributions to Plaintiff NTF for the months of February 2021 through October 2021; (ii) \$720.44 in liquidated damages to NTF for the months of February 2021 to October 2021; (iii) \$487.21 in interest to NTF at the rate of 12% per annum from the date due through February 18, 2022 and continuing through the date of payment to NTF; (iv) \$143.80 in contributions to Plaintiff ITF for the months of February 2021 through October 2021; (v) \$28.76 in liquidated damages to ITF for the months of February 2021 through October 2021; (vi) \$9.72 in interest to ITF at the rate of 12% per annum from the date due through February 18, 2022 and continuing through the date of payment to ITF; (vii) \$753.29 in costs to NTF; and (viii) \$2,656.25 in attorneys' fees to NTF.

The Clerk of the Court is directed to enter Rule 58 judgment against Defendant and in favor of Plaintiffs in an amount of \$12,003.85, which consists of (i) \$7,204.38 in contributions to Plaintiff NTF for the months of February 2021 through October 2021; (ii) \$720.44 in liquidated damages to NTF for the months of February 2021 to October 2021; (iii) \$487.21 in interest to NTF at the rate of 12% per annum from the date due through February 18, 2022 and continuing through the date of payment to NTF; (iv) \$143.80 in contributions to Plaintiff ITF for the months of February 2021 through October 2021; (v) \$28.76 in liquidated damages to ITF for the months of February 2021 through October 2021; (vi) \$9.72 in interest to ITF at the rate of 12% per annum

from the date due through February 18, 2022 and continuing through the date of payment to ITF;
(vii) \$753.29 in costs to NTF; and (viii) \$2,656.25 in attorneys' fees to NTF.

The Clerk is further directed to provide a copy of this Order to all counsel of record, to Defendant's last known addresses of record, and to place this matter among the ended causes.

Alexandria, Virginia
August 30, 2022



T. S. Ellis, III
United States District Judge